



## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Nos. FRA-2010-0044, and -2011-0104, and -2018-0012]

### Railroads' Joint Request to Amend Their Positive Train Control Safety Plans and Positive Train Control Systems

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** This document provides the public with notice that, on March 15, 2023, three host railroads submitted a joint request for amendment (RFA) to their FRA-approved Positive Train Control Safety Plans (PTCSP). As this joint RFA involves requests for FRA's approval of updated onboard software that will materially modify their FRA-certified positive train control (PTC) systems, FRA is publishing this notice and inviting public comment on railroads' joint RFA to their PTCSPs.

**DATES:** FRA will consider comments received by [INSERT DATE 20 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. FRA may consider comments received after that date to the extent practicable and without delaying implementation of valuable or necessary modifications to PTC systems.

**ADDRESSES:** *Comments:* Comments may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

*Instructions:* All submissions must include the agency name and the applicable docket number. The relevant PTC docket numbers for the host railroads that filed a joint RFA to their PTCSPs are cited above and in the Supplementary Information section of this notice. For convenience, all active PTC dockets are hyperlinked on FRA's website at

<https://railroads.dot.gov/train-control/ptc/ptc-annual-and-quarterly-reports>. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information.

**FOR FURTHER INFORMATION CONTACT:** Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816-516-7168, e-mail: [Gabe.Neal@dot.gov](mailto:Gabe.Neal@dot.gov).

**SUPPLEMENTARY INFORMATION:** In general, Title 49 United States Code (U.S.C.) Section 20157(h) requires FRA to certify that a host railroad's PTC system complies with Title 49 Code of Federal Regulations (CFR) part 236, subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTCSP, a host railroad must submit, and obtain FRA's approval of, an RFA to its PTCSP under 49 CFR 236.1021.

Under 49 CFR 236.1021(e), FRA's regulations provide that FRA will publish a notice in the *Federal Register* and invite public comment in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification of a signal and train control system. Accordingly, this notice informs the public that three host railroads' recent, joint RFA to their PTCSPs is available in their respective public PTC dockets, and this notice provides an opportunity for public comment.

On March 15, 2023, the following three host railroads jointly submitted an RFA to their respective PTCSPs for their Interoperable Electronic Train Management Systems (I-ETMS): Central Florida Rail Corridor, TEXRail, and Trinity Railway Express. Their joint RFA is available in Docket Numbers FRA-2010-0044, FRA-2011-0104, and FRA-2018-0012. The purpose of their joint RFA is to obtain FRA's approval of the following types of proposed modifications:

- Modifications to the PTC Development Plan for I-ETMS, specifically the Concept of Operations;

- Modifications to the I-ETMS safety-critical functions outlined in their Risk Assessment, including changes to the following functions:
  - Enforce Speed Limit for Reverse of Shoving Move,
  - Enforce Blanket Speed Limit Even When Not Fully Active,
  - Cab Signal Enforcement Criteria, and
  - Consist Sanity Check for Zero Isolated Locomotive, Trailing Tonnage, Car Count and Operative Brake Count.
- Modifications to the target safety levels identified in their Risk Assessment; and
- Modifications to the human-machine interface of I-ETMS, including modifications to the PTC Initialization Key and the MTEA Enable Max Speed Indication Display, which also requires amendments to the PTC training for their train crews.

Interested parties are invited to comment on this RFA by submitting written comments or data. During FRA's review of these railroads' joint RFA, FRA will consider any comments or data submitted within the timeline specified in this notice and to the extent practicable, without delaying implementation of valuable or necessary modifications to PTC systems. *See* 49 CFR 236.1021; *see also* 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny these railroads' joint RFA to their PTCSPs at FRA's sole discretion.

#### *Privacy Act Notice*

In accordance with 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. *See* <https://www.regulations.gov/privacy-notice> for the privacy notice of regulations.gov. To facilitate comment tracking, we

encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, D.C.

**Carolyn R. Hayward-Williams,**

*Director, Office of Railroad Systems and Technology.*

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